

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:22-CV-178-FL**

SAVE OUR CHILDREN TRUTH §
COMMISSION, ET AL.; NATASHA §
LOACH; EMILY O'DELL; WILLIAM §
O'DELL; LORIBETH AARON; TINA §
BRANDON, ET AL. §

Plaintiffs, §
§

v. §

UNITED STATES; JOE BIDEN; KAMALA §
HARRIS; XAVIER BECERRA; MERRICK §
B. GARLAND; GREG ABBOTT; DAN §
PATRICK; KEN PAXTON; JAIME §
MASTERS; BELL COUNTY; MCLENNAN §
COUNTY; WICHITA COUNTY, ET AL., §

Defendants. §
§

MOTION TO DISMISS
Fed. R. Civ. P. 12

**DEFENDANTS GREG ABBOTT'S AND KEN PAXTON'S
MOTION TO DISMISS PLAINTIFFS' COMPLAINT**

NOW COMES Defendants Greg Abbott and Ken Paxton, who submit their Motion to Dismiss Plaintiffs' Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1), (b)(2), and (b)(6). For the reasons stated in their accompanying memorandum of law, Defendants Abbott and Paxton ask this Court to dismiss Plaintiffs' claims against them with prejudice.¹

This 21st day of December 2022

Respectfully submitted,

KEN PAXTON
Attorney General of Texas

¹ Defendants Abbott and Paxton filed their Motion to Dismiss on December 19, 2022 and served the motion on all pro se parties by U.S. Mail. On December 20, 2022, the Court issued a Notice of Deficiency stating that undersigned counsel did not specify the parties served, method of service or date of service on pro se parties. The Notice further directed counsel to refile their motion to dismiss accompanied with a separate memorandum in support.

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CERTIFICATE OF SERVICE

Defendants Greg Abbott and Ken Paxton, by and through the undersigned counsel, certify that on December 21, 2022, Defendants' Greg Abbott's and Ken Paxton's Motion to Dismiss Plaintiffs' Complaint and the Memorandum in Support thereof and proposed order, were electronically filed with the Clerk of Court using the CM/ECF system which will send notification of such filing to the registered users listed below, and I hereby certify that I have mailed the documents to the following non-CM/ECF participants listed below:

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